



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.

Bill Number: S. 0147 Introduced on January 12, 2021
Author: Massey
Subject: COVID-19 Liability Safe Harbor
Requestor: Senate Judiciary
RFA Analyst(s): Miller
Impact Date: January 26, 2021

Fiscal Impact Summary

This bill will result in expenditure savings for the Insurance Reserve Fund (IRF) within the State Fiscal Accountability Authority (SFAA) due to liability claims against state and local entities that may otherwise have succeeded without the creation of this safe harbor.

Explanation of Fiscal Impact

Introduced on January 12, 2021

State Expenditure

This bill establishes a safe harbor from coronavirus claims for businesses, governmental entities, health care facilities, and their employees. This safe harbor only applies if public health guidance is followed. This bill takes effect upon approval by the Governor and applies to all civil and administrative causes of action arising between March 13, 2020 and June 30, 2021 or 180 days after the final state of emergency is lifted for COVID-19 in this state, whichever is later.

SFAA anticipates the creation of a safe harbor may result in a cost saving for the Insurance Reserve Fund (IRF) due to liability claims against state and local entities that may otherwise succeed. Because the number of COVID-19 related claims against state and local entities covered by the IRF that would have succeeded but for the creation of this safe harbor is unknown, the estimate potential cost savings to the IRF is undetermined.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A

Frank A. Rainwater, Executive Director